

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 582 - HB 1039

March 6, 2017

SUMMARY OF BILL: Authorizes the Cities of Clarksville, Chattanooga, Knoxville, Memphis, and Murfreesboro to hold partisan elections for all municipal offices. Authorizes Davidson County to hold partisan elections for the election of mayor and local legislative body. Requires all elections for school board members to be conducted on a partisan basis.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures –

Exceeds \$1,000,000/FY18-19 and Every Two Years Thereafter*

\$35,000/FY18-19 and Every Two Years Thereafter/Permissive

\$900,000/FY19-20 and Every Two Years Thereafter/Permissive

\$45,000/FY20-21 and Every Two Years Thereafter/Permissive

Assumptions:

- The provisions of the legislation will only impact local government elections and will not result in any significant fiscal impact to state government.
- Under current law, pursuant to Tenn. Code Ann. § 2-13-208, municipal elections are nonpartisan except in instances where the municipality's charter permits partisan elections.
- In the event the municipalities opt to hold partisan elections it would result in an increase in local expenditures for holding a primary election and costs for holding primaries would vary based on the population of the local government.
- According to the Division of Elections (DOE), Knoxville currently holds a two-tiered election, Davidson County currently holds primary elections for other offices, and Murfreesboro conducts their elections with the regular August election; therefore, those local governments would not incur additional expenditures for conducting a primary election.
- Based on information provided by the DOE, Clarksville's next municipal election is scheduled for November 2018 and holding a primary would result in a permissive increase in local expenditures estimated to be \$35,000, with such expenses occurring in FY18-19 and every two years thereafter.
- The next municipal election for Memphis will be held in October 2019 and if a primary election were held it would result in a permissive increase in local expenditures

estimated to be \$900,000, with such expenses occurring in FY19-20 and every two years thereafter.

- Chattanooga's next municipal election will occur in March 2021 and holding a primary election would result in a permissive increase in local expenditures estimated to be \$45,000, with such expenditures occurring in FY20-21 and every two years thereafter.
- In the 2016 election, there were 41 counties which did not hold a county primary election.
- Based on information provided by the DOE, if these 41 counties held primary elections for school board members, and such elections were required to be conducted on a partisan basis pursuant to this legislation, it would result in a mandatory increase in local government expenditures exceeding \$1,000,000, beginning with the May 2018 county primary; thus occurring in FY18-19 and every two years thereafter.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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